

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE FIRST DAY OF JULY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE V.V.S.RAO

WRIT PETITION NO : 9937 of 2001

Between:

M/s. Chiran Fort Club, Rep. by its DGM,
Lt.Col.A.K.Mohan (Retd.), 1-8-333 & 334, A-WANE,
Begumpet, Opp: Police Lines, Near Huda Office,
Hyderabad.

..... PETITIONER

AND

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- 1 Government of Andhra Pradesh, Rep. by its Secretary,
Prohibition & Excise, Secretariat, Hyderabad.
- 2 The Commissioner of Prohibition & Excise,
Hyderabad, Andhra Pradesh.
- 3 The Superintendent of Prohibition & Excise,
Hyderabad, Andhra Pradesh.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a Writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the clause 6 of G.O.Ms.No.464 dt.14-7-2000 as illegal, arbitrary, contrary to the provisions of the A.P., Excise Act and the rules framed there under and unconstitutional and consequently quash the said clause.

Counsel for the Petitioner:MR.B.ADINARAYANA RAO

Counsel for the Respondent No.: GP FOR PROHIBITION & EXCISE

The Court made the following :

ORDER:

Smt. G. Jhansi, representing Sri B.Adinarayana Rao, learned counsel for the petitioner submits that the cause of action in this writ petition does not survive, and the writ petition has become infructuous. Recording his submission, the Writ Petition is dismissed as infructuous. No costs.

V.V.S. RAO, J.

1st July, 2005

Js

To

- 1 Government of Andhra Pradesh, Rep. by its Secretary,
Prohibition & Excise, Secretariat, Hyderabad.
- 2 The Commissioner of Prohibition & Excise,
Hyderabad, Andhra Pradesh.
- 3 The Superintendent of Prohibition & Excise,
Hyderabad, Andhra Pradesh.
- 4 Two CCs to G.P. for Prohibition & Excise, High Court Buildings,
Hyderabad.
- 5 2 CD copies.